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SENSITIVE

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SUBJECT: Media Authority Suspends Two Newspapers, Editor of One
Jailed

REF: 06 Kinshasa 1933

Sensitive but Unclassified. Not for Internet Distribution.

¶11. (U) Summary: The High Media Authority (HAM) suspended two newspapers for slander, and the editor of one of the papers, which tends toward the tabloid persuasion, was subsequently jailed. His is the first such arrest and sentence of a journalist since President Kabila's inauguration and provoked a protest by Reporters Without Frontiers. The HAM also suspended the program directors of three Kinshasa-based private TV stations for airing beer commercials that did not adhere to accepted standards. End Summary

Allegations Against the Governor

¶12. (U) On January 10, the High Media Authority suspended for six weeks the license of the independent weekly 'Le Moniteur' for three articles alleging that Jacques Mbadu Situ, the governor of Bas-Congo province, ignored instructions from the Ministry of Interior regarding the state payroll. The unsubstantiated articles appeared in November and December 2006. Rigobert Kwakala Kash, the editor of 'Le Moniteur,' was sentenced to an 11-month sentence by a January 6 court ruling. Congolese media advocate Journaliste en Danger (JED) protested that the judgment against Kwakala Kash was rendered in a secret proceeding. Reporters Without Frontiers protested that, with

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suspension and jailing, Kwakala was punished twice, and suggested the court was politically influenced.

¶13. (U) The HAM also imposed a one-month suspension on the pro-UDPS (opposition) newspaper 'Alerte Plus' for publishing unsubstantiated 'grave accusations' against Congolese Central Bank executives.

Too Much Beer

¶14. (U) The HAM also suspended for 15 days the program directors of Canal Congo TV, Radio Television Groupe l'Avenir and Mirador TV January 10 for showing beer commercials which exceeded the legal 60-second time limit and were shown at inappropriate times. These stations were further prohibited from showing any ads for a 7-day period. All three stations complied with the HAM ruling.

Comment

¶15. (SBU) Rigobert Kwakala Kash is the first journalist to be jailed since President Joseph Kabila's inauguration. His jailing, unlike many earlier ones involving journalists, followed some kind of court proceeding. Notwithstanding the foibles of a sometimes

unprofessional and sensationalist press, Kwakala's incarceration nonetheless serves to remind us that the new Third Republic should decriminalize press libel and slander, reserving such offenses for the civil courts. At the same time, journalists need to understand that unsubstantiated and slanderous accusations are unacceptable - and have nothing to do with freedom of the press. The Media Donors' Group, of which the Embassy is a member, is considering ways to approach these issues. The HAM itself is an independent body which has often sanctioned pro-Kabila media outlets, such as the advertising suspension on Groupe l'Avenir (para 4), as well as opposition press, within the often ambiguous limits of current DRC laws regarding the media. The HAM has also frequently been at loggerheads with the highly partisan pro-Kabila Transition Information Minister, Henri Mova Sakanyi. End Comment

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